

19 COURTROOM TESTIMONY	Page 1 of 3
Division of Forensic Science CONTROLLED SUBSTANCES TRAINING MANUAL	Amendment Designator: A
	Effective Date: 21-October-2005
<p style="text-align: center;">19 COURTROOM TESTIMONY</p> <p>19.1 Objectives</p> <p>19.1.1 To familiarize the trainee with the functions of a courtroom criminal proceeding</p> <p>19.1.2 To have the trainee prepare a current curriculum vitae and convey <i>voir dire</i> questioning during testimony</p> <p>19.1.3 To familiarize the trainee with proper methods of presenting expert testimony during direct examination</p> <p>19.1.4 To familiarize the trainee with the proper methods of defending analytical results during cross-examination</p> <p>19.2 Modes of Instruction</p> <p>19.2.1 Self-directed study through reading assignments and worksheets</p> <p>19.2.2 Observation of expert testimony</p> <p>19.2.3 Practical exercise (mini-mock trials)</p> <p>19.3 Reference</p> <p>19.3.1 Kuzmack, Nicholas T., J.D., M.A. "Legal Aspects of Forensic Science", in Saferstein, Richard, Ph.D., editor. <i>Forensic Science Handbook</i>. Englewood Cliffs, N.J.: Prentice Hall, 1982, pp. 1-27.</p> <p>19.3.2 Shellow, James M. "The Expert Witness in Narcotics Cases", in <i>Contemporary Drug Problems – A Law Quarterly</i>, Spring 1973, pp 81-104.</p> <p>19.3.3 Travnikoff, Basil, Jr. and Kvick, Robert J. <i>How to Examine a Chemist in Drug Abuse Cases, First Edition</i>, 1971.</p> <p>19.3.4 Bailey, F. L. and Rothblatt, H. B., <i>Handling Narcotic and Drug Cases</i>, Rochester, NY: The Lawyers Cooperative Publishing Co., 1972.</p> <p>19.3.5 <i>Code of Virginia</i> (§ 19.2-187.1) and (§ 19.2-187).</p> <p>19.4 Assignments</p> <p>19.4.1 Completion of required reading assignments (19.3.1 – 19.3.3)</p> <p>19.4.2 Completion of curriculum vitae</p> <p>19.4.3 Study questions and mock trials</p> <p>19.5 Study Questions</p> <p>19.5.1 Discuss the role of the following during a trial:</p> <ul style="list-style-type: none"> • Expert witness • Judge • Prosecutor • Defendant • Defense counsel • Jury 	

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<p>19.5.2 Define the following:</p> <ul style="list-style-type: none"> • <i>Voir dire</i> • Direct examination • Cross examination • Redirect • Chain of custody <p>19.5.3 Write a current curriculum vitae in the format provided by the TC which includes educational background and work experience.</p> <p>19.5.4 Describe a typical courtroom proceeding for a trial dealing with an individual accused of possession of a controlled substance, from the time the trial begins until final verdict by the jury. Be sure to include the order in which witnesses are called, arguments by trial counsel, and introduction of physical evidence.</p> <p>19.5.5 How would you describe the characteristics of an effective expert witness? Likewise, what are some of the factors which make a poor expert witness?</p> <p>19.5.6 Describe the ASCLD/LAB accreditation process and the benefits of being an accredited laboratory.</p> <p>19.6 Practical Exercises</p> <p>19.6.1 Conduct several mock trials in conjunction with the training coordinator which deal with the following aspects of testimony separately:</p> <ul style="list-style-type: none"> • <i>Voir dire</i> • Chain of custody • Drug analysis <p>19.6.2 Conduct several mock trials which will encompass all aspects of a potential trial setting. Be sure to include role players to serve as judges, attorneys, and jurors.</p> <p>19.6.3 Observe examiners testify whenever possible.</p> <p>19.6.4 Verbally answer the following possible direct examination questions to the training coordinator or designee:</p> <ul style="list-style-type: none"> • What is your name? • What is your occupation? For whom do you work? • How long have you been so employed? • What are your duties in this occupation? • What education and training do you possess that qualifies you to perform your duties? • What specific courses have you taken that are directly related to drug analysis? • How are these courses related? For example, what did you learn in your general chemistry course that aids you in the analysis of drugs? • Do you consider yourself an expert in the analysis of drugs? • What is the definition of an expert witness? • Is the university/college you graduated from accredited, and if so, by whom? • Who conducted your training? • What are his/ her/ their qualifications? • What literature do you read relating to your job? • How many analyses have you done on suspected drugs (or controlled substances)? • Do you belong to a recognized society attesting to your qualifications as a drug chemist? • Have you written any articles or published materials dealing with your work? 	

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<p>19.7 Modes of Evaluation</p> <p>19.7.1 Passage of final mock trial</p> <p align="right">♦ End</p>	